IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

WP(C).No. 25958 of 2007(M)

PETITIONER:

K.A.KRISHNAN PILLAI, MADATHIL HOUSE,
OLAMATTOM, THODUPUZHA, IDUKKI DISTRICT.
PIN-685 584.

BY ADV. SRI.C.A.MAJEED
SRI.SHAJAHAN P.M.
SMT.MOLTY MAJEED

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY THE PRIINCIPAL SECRETARY, FOREST DEPARTMENT, SECRETRIAT,THIRUVANANTHAPURAM.

2. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION), FOREST HEADQUARTERS, VAZUTHACADU,THIRUVANANTHAPURAM.

3. DIVISIONAL FOREST OFFICER, KOTHAMANGALAM.

BY ADV. SRI. BIJOY CHANDRAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI , J

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W.P.(C) NO. 25958 OF 2007

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Dated this the 10th day of September, 2007.

JUDGMENT

The petitioner retired from service on superannuation on 31.07.2006. According to him, on retirement his gratuity admissible was assessed at Rs.1,33,676. Ext.P2 is the gratuity payment order. But in spite of the same, it has not been disbursed to him, he contends.

2. Ext.P4 is a show cause notice issued by the 3rd respondent-Divisional Forest Officer requiring the petitioner to show cause why an amount of Rs. 25,000/- should not be recovered from him allegedly towards the loss of amount of Rs.50,000/- suffered by the department. Ext.P5 is the reply given by the petitioner to Ext.P4. The finalisation of the liability is yet to take place. Ext.P7 is another order issued by the Divisional Forest Officer, fixing a liability to the tune of Rs. 1251/- on the petitioner.

3. In the circumstances, the writ petition is disposed of in the following terms:

> i. The 3rd respondent shall take appropriate steps to disburse to the petitioner the DCRG admissible to him less the amount mentioned in Exts.P4 and P7 within a period of two months from the date of receipt of a copy of this judgment.

ii. finalisation of the liability sought to be made in Exts.P4 and P7 shall be completed within a period of four months from the date of receipt of a copy of this judgment, after hearing the petitioner.

iii. Subject to the finalisation of the proceedings contemplated under Exts.P4 and P7(if it has not been done so far) the balance amount shall also be disbursed to the petitioner within one month thereafter.

Subject to the above directions, the writ petition is disposed of.

V. GIRI, JUDGE.

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